

REMARKS

Claims 1, 3-10 and 12-19 are pending in this application.

The claims have been amended above, for simplicity and to remove words and phrases believed to be surplus and unnecessary for expressing the invention. Also, the word “topic” has been used to replace the word “part”, to make Applicant’s claims and figures (such as Fig. 2) easier to read together. Likewise, the word “class” is now used, for better reading claim 8 with Applicant’s Fig. 3. It is emphasized that Applicant’s claimed invention is not limited to the figures, which are directed to certain, not all, embodiments, of the claimed invention.

Applicant respectfully traverses the obviousness rejection.¹

In Applicant’s presently claimed invention, the “reference number” is “automatically generated” and “records the number of times the respective topic in the past was referred to as a search result.” The primary reference, Ishimaru, fails to disclose or teach an automatically-generated measure of how much referencing a topic receives. When Ishimaru discloses at col. 7, lines 62-62, “a mode which displays on screen only those words which are marked” and that “the words would be displayed on screen, sorted by search frequency in ascending or descending order,” he is dependent on manual-marking of the words. Ishimaru fails to teach or disclose that, when a user refers to the topic as a search result, a reference number is automatically generated. In Ishimura, only what has been manually bookmarked can then be searched or displayed by ascending or descending frequency. The presently claimed invention requires much less work on the part of a user, compared to Ishimura which is dependent on manual book-marking.

A person of ordinary skill in the art reading Ishimura still falls short of the automatically-generated aspect of Applicant’s presently claimed invention. Such an aspect is too complex to be attributed to a person of ordinary skill in the art. First, Ishimura is entirely focused and dependent upon a manual-bookmarking scheme. Ishimura filed his priority application from which the cited patent issued in May 1996, substantially after Porter’s patent issued in November 1993. The Examiner’s proposed assumption about how a person of ordinary skill in Applicant’s art would reason and modify Ishimura’s patent tends to be rebutted by

¹As pertinent, Applicant further incorporates by reference the previous remarks of his recent Amendment Under 37 CFR 1.116, and for brevity does not repeat the remarks.

the fact that inventor Ishimura (reasonably presumed of higher skill than ordinary) himself failed to disclose an automatically-generated system. Ishimura, a person of higher-than-ordinary-skill in the art, could visualize only a manual bookmarking system. It is unreasonable to propose that someone of lesser skill could visualize more.

Also, more generally and without reference to Ishimura himself, a person of ordinary skill in the art would have been unmotivated by Porter to modify Ishimura, and unable to arrive at Applicant's presently claimed invention. See Applicant's remarks filed August 29, 2003 (pages 10-13).

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1, 3-10 and 12-19 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephone or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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